

UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA) CR. NO. 3:CR-05-64
)
)
v.) (CHIEF JUDGE VANASKIE)
)
LOUIS PAGNOTTI, III,)
) (ELECTRONICALLY FILED)
Defendant.)

**RESPONSE OF UNITED STATES' TO DEFENDANT'S
MOTION TO DISMISS MISPRISION COUNTS**

Comes now Thomas A. Marino, United States Attorney for the Middle District of Pennsylvania and, by undersigned counsel, response to the defendant's Motion for Dismiss Misprision Counts:

1. Having reviewed the case law relating to misprision of a felony, the United States agrees with the defendant's analysis and moves to dismiss Counts Twenty and Seventeen of the Superseding Indictments, that is, the counts charging a violation of Title 18, United States Code, Section 4.

WHEREFORE, for the aforestated reasons, the United States requests that
the District Court grant the Defendant's Motion to Dismiss Misprision Counts

Respectfully submitted,

THOMAS A. MARINO
United States Attorney

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Dated: January 22, 2007

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that on this 22nd day of January, 2007, she served a copy of the attached

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via electronic case filing and/or by placing said copy in a postpaid envelope addressed to the person hereinafter named, at the place and address stated below, which is the last known address, and by depositing said envelope and contents in the United States Mail at Harrisburg, Pennsylvania.

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/s/ Carol A. Manies
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